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Attorneys for Defendant  
Leap Wireless International, Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

KENT CARMICHAEL, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

V. LEAP WIRELESS INTERNATIONAL,  
INC.; S. DOUGLAS HUTCHESON; MARK  
H. RACHESKY; AMIN I. KHALIFA; AND  
DEAN M. LUVISA,

Defendants.

CIVIL ACTION NO. 08-CV-0128 BTM(NLS)  
NOTICE OF APPEARANCE

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Please take notice that the undersigned hereby enters an appearance on behalf of  
named defendant Leap Wireless International, Inc. effective immediately in Civil Action No.  
08 CV 0128 BTM (NLS). Please add us to your proof of service mailing lists.

Dated: March 28, 2008

By /s/ Kimberly Arouh Hicks  
Kimberly Arouh Hicks  
of LATHAM & WATKINS LLP  
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Leap Wireless International, Inc.

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Attorneys for Defendant  
 Leap Wireless International, Inc.

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

KENT CARMICHAEL, Individually and on  
 behalf of all others similarly situated,

Plaintiff,

v.

LEAP WIRELESS INTERNATIONAL, INC.,  
 S. DOUGLAS HUTCHESON, MARK H.  
 RACHESKY, AMIN I. KHALIFA and DEAN  
 M. LUVISA,

Defendants.

CLASS ACTION NO. 08 CV 0128 BTM (NLS)

PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age  
 of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 600  
 West Broadway, Suite 1800, San Diego, CA 92101-3375.

On **March 28, 2008**, I served the following document described as:

**DEFENDANT LEAP WIRELESS INTERNATIONAL, INC.'S NOTICE OF  
 APPEARANCE**

by serving a true copy of the above-described document in the following manner:

## BY ELECTRONIC FILING

I am familiar with the United States District Court, Southern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. Under said practice, the following CM/ECF users were served:

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I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 28, 2008, at San Diego, California.

